

BARNES & THORNBURG LLP

P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 357-1313
(312) 759-5646 Fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Group:</i>	1637	}
<i>Confirmation</i>	5272	}
<i>No.:</i>		}
<i>Application No.:</i>	10/647,423	}
<i>Invention:</i>	DISCRIMINATION OF BACILLUS ANTHRACIS FROM CLOSELY RELATED MICROORGANISMS BY ANALYSIS OF 16S AND 23S rRNA WITH OLIGONUCLEOTIDE MICROCHIPS	}
<i>Applicant:</i>	Sergei G. Bavykin, et al.	}
<i>Filed:</i>	August 25, 2003	}
<i>Attorney</i>		}
<i>Docket:</i>	21416/94731	}
<i>Examiner:</i>	Samuel C. Woolwine	}

DECLARATION UNDER 37 C.F.R. § 1.132 TO SHOW APPLICANTS' OWN WORK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Sergei G. Bavykin, am a co-inventor of the patent application captioned above.
2. I have reviewed the patent application captioned above as filed, the Office Action, mailed on August 14, 2006, and the Interview Summary mailed March 15, 2007.

3. I understand that the novel probe sequence CCC TCT GTG ACG AGC CTT TC (SEQ ID NO: 143) corresponds to a GenBank Accession No. AF267884.
4. The named inventors of the patent application captioned above are Sergei G. Bavykin and Andrei D. Mirzabekov (currently deceased), who are also co-authors of the direct submission that corresponds to GenBank Accession No. AF267884.
5. Additional co-authors Mikhailovich, V., Zakharyev, V., Lysov, Y., Bulygina, E., Taran, I., Chernyi, A., Kelly, J., and Stahl, D., were working under my direction, guidance and supervision.
6. I am submitting this Declaration to show that the nucleic acid sequence described in the GenBank submission, was applicants' own work, and probes derived from the GenBank sequence are disclosed in the patent application captioned above.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

Sergei G. Bavykin

Date: June 6, 2007